

HOUSE BILL NO. 336

INTRODUCED BY R. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING LEAVING HIGHWAY CONSTRUCTION EQUIPMENT AND VEHICLES OR PRIVATE VEHICLES IN A HIGHWAY MEDIAN; DEFINING "HIGHWAY MEDIAN"; AND PROVIDING PENALTIES AND PUBLIC CONTRACT RESTRICTIONS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Storing of construction equipment and vehicles in highway median prohibited -- penalties. (1) For the purposes of this section, a "highway median" is the area between the lanes of a divided highway that is not designed or ordinarily used for vehicular travel.

(2) (a) A contractor or a subcontractor who is engaged in the construction or reconstruction of a state highway, as defined in 60-1-103, may not, during the construction or reconstruction:

(i) store, place, or locate equipment or vehicles in the highway median unless the equipment or vehicles are in actual use during the work period or in use for traffic control or safety; or

(ii) store, place, or locate equipment or vehicles in the highway median on holidays, weekends, or overnight.

(b) A person working on the construction or reconstruction project may not park the person's private vehicle in the highway median at any time.

(c) All traffic control and safety devices must be removed from the median at the conclusion of the project or at a point in the project when they are no longer necessary.

(3) Each violation of the provisions of subsection (2) is punishable by a fine of not more than \$5,000.

(4) A contracting company whose gross negligence in violation of subsection (2) results in loss of life may not participate in future highway construction projects in the state of Montana for 1 year.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 60, chapter 6, part 1, and the provisions of Title 60, chapter 6, part 1, apply to [section 1].

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